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4955 7590 05/12/2009 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468				
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DANG, HUNG Q				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/798,824

**Applicant(s)**

ISLAM ET AL.

**Examiner**

Hung Q. Dang

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-6, 10, 11, 15-17, 19-35, 40, 41, 43, 44, 49, 50 and 53-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-6, 10, 11, 15-17, 19-35, 40, 41, 43, 44, 49, 50 and 53-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-846)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/12/2008
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/17/2009 has been entered.

### ***Response to Arguments***

Applicant's arguments filed 02/17/2009 have been fully considered but they are not persuasive.

On page 15, Applicant argues that Wee discloses "more than one frame in the sequence to be appended is decoded, modified" and "in contrast, according to the claimed invention, only one frame is decoded into a decoded video frame and the decoded video is changed for achieving the video effect." In response, the Examiner respectfully submits that the claims recite, "decoding one of said at least one video frame ..." Since Wee discloses decoding at least one video frame as described in the previous Office Action, Wee also discloses one of said at least one video frame. In other words, the claims do not recite decoding only one frame among a plurality of frames. Therefore, Applicant's arguments, that Wee does not disclose the feature of "only one frame is decoded into a decoded frame" is irrelevant and not persuasive.

Applicant's arguments on pages 15-16 are not persuasive for the same reason as discussed above. Specifically, although Wee discloses decoding more than one frames, any one of those frames can correspond to the "one of said at least one video frame" recited.

Other newly added limitations and/or newly added claims are rejected in view of new grounds of rejections as described in details below.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3, 16-17, 19-22, 26-32, and 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wee et al. (US Patent 6,104,441) and Wee et al. (US Patent 6,507,618 – hereinafter referred to as Wee et al. II).**

Regarding claim 3, Wee et al. disclose a method, comprising: determining, among a plurality of input video frames in a bitstream, at least one video frame for video editing to achieve a video effect (column 11, lines 9-32), wherein the input video frames comprise frame characteristics, the frame characteristics comprising at least a first characteristic and a second characteristic (column 11, lines 9-32; column 12, line 36 - column 13, line 20), and wherein the input video frames comprise one or more preceding video frames preceding said at least one video frame (column 11, lines 9-32; column 8, lines 10-20); identifying the frame characteristic of said at least one input

video frame (column 7, lines 50-53; column 11, lines 9-32); modifying the bitstream in the compressed domain based on specified editing parameters for providing a modified bitstream indicative of edited video frames if the frame characteristic of said at least one video frame is the first characteristic (column 12, line 36 – column 13, line 20), and wherein if the frame characteristic of said at least one video frame is the second characteristic, decoding one of said at least one video frame for providing a decoded video frame and appending said decoded video frame to another image sequence achieve the video effect (column 11, lines 9-32; also see "Response to Arguments" above).

However, Wee et al. do not disclose changing said decoded video frame to achieve the video effect.

Wee et al. II disclose changing decoded video frame to achieve the video effect (Fig. 26; column 27, line 35 – column 28, line 37).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Wee et al. II into the method disclosed by Wee et al. in order to allow users to perform color corrections.

Regarding claim 16, Wee et al. disclose an apparatus (column 3, lines 36-38), comprising: a frame analyzer module, responsive to signals indicative of a plurality of input video frames in a bitstream, adapted for determining at least one video frame for video editing to achieve a video effect (column 11, lines 9-32), wherein the input video frames comprise frame characteristics, the frame characteristics comprise a first characteristic and a second characteristic (column 11, lines 9-32; column 12, line 36 -

column 13, line 20), and wherein the input video frames comprise one or more preceding video frames preceding said at least one input video frame (column 11, lines 9-32; column 8, lines 10-20), said frame analyzer module further adapted for identifying the frame characteristic of said at least one video frame (column 7, lines 50-53; column 11, lines 9-32); and a compressed domain processing module, responsive to signals indicative of the frame characteristic of said at least one video frame, for modifying the video frame data based on specified editing parameters for providing a modified bitstream indicative of edited video frames if the frame characteristic of said at least one video frame is the first characteristic (column 12, line 36 – column 13, line 20); and a decoding module, adapted for decoding one of said at least one video frame for providing a decoded video frame so as to append said decoded video frame to another image sequence achieve the video effect, if the frame characteristic of said at least one video frame is a second characteristic (column 11, lines 9-32; also see "Response to Arguments" above).

However, Wee et al. do not disclose changing said decoded video frame to achieve the video effect.

Wee et al. II disclose changing decoded video frame to achieve the video effect (Fig. 26; column 27, line 35 – column 28, line 37).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Wee et al. II into the apparatus disclosed by Wee et al. in order to allow users to perform color corrections.

Regarding claim 17, Wee et al. II also disclose a spatial domain processing module for changing video frame data in the decoded video frame (Fig. 26; column 27, line 35 – column 28, line 37).

Regarding claim 19, Wee et al. also disclose a format composer module for converting the edited frame data into an edited media file (column 6, lines 52-58; Fig. 9; column 16, lines 1-46).

Regarding claim 20, Wee et al. also disclose the format composer module comprises a file format composer (Fig. 9; column 16, lines 1-46).

Regarding claim 21, Wee et al. also disclose the format composer module comprises a media format composer (Fig. 9; column 16, lines 1-46).

Regarding claim 22, Wee et al. also disclose the frame analyzer module is further adapted for identifying format information indicative of editing properties of the modified video data so as to convert the modified video data into the edited media file compatible to a media player (column 7, lines 50-53; column 6, lines 52-58; Fig. 9; column 16, lines 1-46).

Regarding claim 26, Wee et al. disclose an apparatus, comprising: a media encoder for encoding media data for providing encoded media data in a plurality of encoded video frames (column 10, lines 12-19), wherein the encoded video frames comprise frame characteristics, the frame characteristics comprising at least a first characteristic and a second characteristic (column 11, lines 9-32; column 12, line 36 – column 13, line 20; column 7, lines 50-53); a media editing device, responsive to the encoded video frames, for providing edited data including one or more edited frames,

the edited frames having at least one editing effect specified by one or more editing parameters (column 11, lines 9-32), and a media decoder, responsive to the edited data, for providing decoded media data, wherein the media editing device comprises: a video editor module, responsive to signals indicative of encoded video frames, adapted for determining at least one video frame for video editing (column 11, lines 9-32), and wherein the encoded video frames comprise one or more preceding video frames preceding said at least one video frame (column 11, lines 9-32), said video editor module further adapted for identifying the frame characteristic of said at least one video frame (column 7, lines 50-53; column 11, lines 9-32); a compressed domain processing module, responsive to signals indicative of the frame characteristic of said at least one video frame, for modifying the encoded frame data based on specified editing parameters for providing the edited data if the frame characteristic of said at least one video frame is the first characteristic (column 12, line 36 – column 13, line 20); and a further module, adapted for decoding one of said at least one video frame for providing a decoded video frame if the frame characteristic of said at least one video frame is the second characteristic, so as to append to video frame for achieve the video effect (column 11, lines 9-32).

However, Wee et al. do not disclose changing said decoded video frame to achieve the video effect.

Wee et al. II disclose changing decoded video frame to achieve the video effect (Fig. 26; column 27, line 35 – column 28, line 37).



One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Wee et al. II into the apparatus disclosed by Wee et al. in order to allow users to perform color corrections.

Regarding claim 27, Wee et al. also disclose the media encoder has a connectivity mechanism and the media editing device has a further connectivity mechanism for allowing the media editing device to communicate with the media encoder in order to receive therefrom encoded media data in a wireless fashion (Fig. 3; column 6, lines 52-58).

Regarding claim 28, Wee et al. also disclose the media decoder has a connectivity mechanism and the media editing device has a further connectivity mechanism for allowing the media editing device to provide the edited data to the media decoder in a wireless fashion (Fig. 3; column 6, lines 52-58).

Regarding claim 29, Wee et al. also disclose the media encoder and the media editing device are integrated in an expanded encoding module (Fig. 9; column 15, line 52 – column 16, line 7).

Regarding claim 30, Wee et al. also disclose the media decoder has a connectivity mechanism and the expanded encoding module has a further connectivity mechanism for allowing the expanded encoding module to provide the edited data to the media decoder in a wireless fashion (Fig. 3; Fig. 9; column 6, lines 52-58).

Regarding claim 31, Wee et al. also disclose the media decoder and the media editing device are integrated in an expanded decoding module (Fig. 3; Fig. 9; column 15, line 52 – column 16, line 7).

Regarding claim 32, Wee et al. also disclose the media encoder has a connectivity mechanism and the expanded decoding module has a further connectivity mechanism for allowing the media encoder to provide the edited data to the expanded decoding module in a wireless fashion (Fig. 3; Fig. 9; column 6, lines 52-58).

Regarding claim 53, Wee et al. also disclose the video effect comprises a scene-transition effect (column 11, lines 9-32), said method further comprising: decoding at least one of said preceding video frames if the frame characteristic of said at least one video frame is the second characteristic (column 11, lines 9-32); and transforming the decoded video frame into an intra frame after said changing (column 11, lines 9-32).

Regarding claim 54, Wee et al. II also disclose the video effect comprises a color-change effect (Fig. 26; column 27, line 35 – column 28, line 37).

Regarding claim 55, Wee et al. and Wee et al. II also disclose wherein the spatial domain processing module comprises a special effect processor (Wee et al. II, Fig. 26; column 27, line 35 – column 28, line 37) and a transition effect processor (Wee et al., column 11, lines 9-32), and the video effect comprises a color- change effect (Wee et al. II, Fig. 26; column 27, line 35 – column 28, line 37) and a scene-transition effect (Wee et al., column 11, lines 9-32), wherein if the video effect is a scene-transition effect, said transition effect processor is adapted for changing the decoded video frame and the decoding module is further adapted for decoding said at least one of said preceding video frames so as to transform the decoded video frame into an intra frame after said changing for achieving the scene-transition effect (Wee et al., column 11, lines 9-32; Wee et al. II, Fig. 29; column 29, line 57 – column 30, line 31); and if the video effect is

a color-change effect, said special effect processor is adapted for changing the decoded video frame for achieving the color-change effect (Wee et al. II, Fig. 26; column 27, line 35 – column 28, line 37).

Claim 56 is rejected for the same reason as discussed in claim 55 above.

**Claims 4-6, 10-11, 15, 35, 40-41, 43-44, 49-50, 57-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wee et al. (US Patent 6,104,441) and Wee et al. (US Patent 6,507,618 – hereinafter referred to as Wee et al. II) as applied to claims 3, 16-17, 19-22, 26-32, and 53-56 above, and further in view of Naimpally et al. (US Patent 5,477,397).**

Regarding claim 4, see the teachings of Wee et al. and Wee et al. II as discussed in claim 3 above. Further, Wee et al. also disclose the video data are coded with MPEG format (column 6, lines 15-24) and are coded with variable-length code (column 7, lines 28-37; column 17, lines 11-13), and said method further comprising: converting the MPEG encoded video data into a decoded format prior to said modification (column 11, lines 19-30). However, Wee et al. and Wee et al. II do not disclose said method further comprising: converting the VLC coded video data into a binary form prior to said modifying.

Naimpally et al. disclose a MPEG decoding process that converts the VLC coded video data into a binary form (column 5, lines 5-10).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the converting the VLC coded video data into a binary form disclosed by Naimpally et al. into the decoding process used in the method

disclosed by Wee et al. and Wee et al. II to make it compatible with MPEG standard, which is an existing standard.

Regarding claim 5, Naimpally et al. also disclose processing the VLC coded video data in an inverse cosine transform operation (column 5, lines 10-15).

Regarding claim 6, Wee et al. also disclose modifying one or more further input video frames in the bitstream in a further domain different from the compressed domain based on the frame characteristics of said at least one further video frame for providing a further modified bitstream (column 11, lines 19-30).

Regarding claim 10, Wee et al. also disclose the modified bitstream comprises edited frame data (column 16, lines 41-45); and said method further comprising converting the edited frame data into an edited media file (column 6, lines 52-58; Fig. 9; column 16, lines 1-46).

Regarding claim 11, Wee et al. also disclose the edited frame data is converted based on format information indicative of editing properties of the edited frame data (column 7, lines 50-53; column 6, lines 52-58; Fig. 9; column 16, lines 1-46).

Regarding claim 15, Wee et al. also disclose said modifying is also based on the editing parameters according to a user's chosen editing reference (column 3, lines 51-57; column 6, lines 37-40).

Regarding claim 35, Wee et al. disclose an apparatus configured for editing media files in a bitstream, the bitstream comprising a video bitstream, wherein the video bitstream comprises a plurality of input video frames having video frame data (Fig. 3; column 3, line 34 – column 4, line 3), comprising: a video editing application module for

specifying an editing effect on the input video frames (column 3, line 49—column 4, line 3), the input video frames comprising at least one video frame for video editing and a plurality of preceding video frames preceding said at least one video frame (column 11, lines 9-32), wherein the input video frames comprise frame characteristics, the frame characteristics comprising a first characteristic and a second characteristic (column 7, lines 50-53); a video editing device comprising: an editor module adapted for identifying the frame characteristic of said at least one video frame (column 7, lines 50-53); and a compressed domain processing module, responsive to signals indicative of the frame characteristic of said at least one video frame, for modifying at least part of the video frame data based on frame and specified editing effects for providing modified video data if the frame characteristic is the first characteristic (column 12, line 36 – column 13, line 20); and a further module, adapted for decoding one said at least one video frame for providing a decoded video frame if the frame characteristic of said at least one video frame is the second characteristic, so as to append the decoded video frame for achieving the editing effect (column 11, lines 9-32; also see “Response to Arguments” above).

However, Wee et al. do not disclose changing said decoded video frame to achieve the video effect and the bitstream to comprise an audio bitstream.

Wee et al. II disclose changing decoded video frame to achieve the video effect (Fig. 26; column 27, line 35 – column 28, line 37).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the teachings of Wee et al. II into the apparatus disclosed by Wee et al. in order to allow users to perform color corrections.

However, Wee et al. and Wee et al. II do not disclose the bitstream to comprise an audio bitstream.

Naimpally et al. disclose the bitstream to comprise an audio bitstream (column 7, lines 21-24).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the audio bitstream disclosed by Naimpally et al. into the bitstream disclosed by Wee et al. and Wee et al. II in order to add sounds to the video. The incorporated feature would make movie watching more lively.

Regarding claim 40, Wee et al. also disclose a display screen for display video images based on modified video data (Fig. 3; column 6, lines 40-58).

Regarding claim 41, Wee et al. also disclose a mobile terminal (column 6, lines 52-58; Fig. 3).

Claim 43 is rejected for the same reason as discussed in claim 3 above.

Claim 44 is rejected for the same reason as discussed in claim 6 above.

Claim 49 is rejected for the same reason as discussed in claim 3 above.

Claim 50 is rejected for the same reason as discussed in claim 10 above.

Claim 57 is rejected for the same reason as discussed in claim 55 above.

Claim 58 is rejected for the same reason as discussed in claim 55 above.

**Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wee et al. (US Patent 6,104,441) and Wee et al. (US Patent 6,507,618 – hereinafter referred to as Wee et al. II) as applied to claims 3, 16-17, 19-22, 26-32, and 53-56 above, and further in view of Abe (US Patent 6,618,491).**

Regarding claim 23, see the teachings of Wee et al. and Wee et al. II as discussed in claim 16 above. However, Wee et al. and Wee et al. II do not disclose the bitstream also comprises audio data, said device further comprising: a format parser module, for separating the audio from the video frame data in the input video frames, and an audio processing module for modifying the audio data for providing modified audio data, if so desired.

Abe discloses the bitstream comprises video and audio data (column 3, lines 32-35), said device further comprising: a format parser module, for separating the audio from the video frame data in the input video frames (column 3, lines 32-35), and an audio processing module adapted for modifying the audio data for providing modified audio data, if so desired (column 4, lines 37-44).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the bitstream comprising both video data and audio data, the format parser module, and the audio processing module disclosed by Abe into the method disclosed by Wee et al. and Wee et al. II so that to make the video data having audio associated with it. Video having audio is more entertaining to watch. Besides, it is also more informative.

Regarding claim 24, Abe also discloses a combination module for combining the modified video data and the modified audio data for providing combined signals indicative of combined data (column 4, lines 44-51, 58-64; column 5, lines 1-4, 10-18; column 7, lines 5-16).

Regarding claim 25, Wee et al. also disclose a format composer, responsive to the combined signals, for converting the combined data into an edited media file for use in a media player (column 6, lines 52-58; Fig. 9; column 16, lines 1-46).

**Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wee et al. (US Patent 6,104,441) and Wee et al. (US Patent 6,507,618 – hereinafter referred to as Wee et al. II) as applied to claims 3, 16-22, 26-32, and 51-52 above, and further in view of Ikonen (US 2003/0005329).**

Regarding claim 33, see the teachings of Wee et al. and Wee et al. II as discussed in claim 30 above. However, Wee et al. and Wee et al. II do not disclose each of the connectivity mechanism and the further connectivity mechanism comprises a bluetooth connectivity module.

Ikonen discloses a bluetooth connectivity mechanism (claim 9).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the bluetooth connectivity mechanism disclosed by Ikonen into the media coding system disclosed by Wee et al. and Wee et al. II to have each of the connectivity mechanism and the further connectivity mechanism comprises a bluetooth connectivity module because bluetooth connections have lower power consumption.



Regarding claim 34, see the teachings of Wee et al. and Wee et al. II as discussed in claim 30 above. However, Wee et al. and Wee et al. II do not disclose each of the connectivity mechanism and the further connectivity mechanism comprises an infrared connectivity module.

Ikonen discloses an infrared connectivity module ([0019]; [0020]).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the infrared connectivity module disclosed by Ikonen into the media coding system disclosed by Wee et al. and Wee et al. II to have each of the connectivity mechanism and the further connectivity mechanism comprises an infrared connectivity module to provide the system with capability of being controlled by remote controllers.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621